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Southern District of New York
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BY CM/ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *United States v. Joel Vasquez*
25 Cr. 89 (VEC)**

Dear Judge Caproni:

I write to respectfully request that the Court adjourn by 45 days the June 30, 2025, deadline for the defense to file Rule 12 motions and any applicable Rule 12 notices. The requested adjournment also applies to the Government's deadline to make expert disclosures under Fed. R. Crim. P. 16 and to respond to the defendant's motions, along with the defendant's deadline to reply. The Government consents to this application.

As the Court is aware, on May 28, 2025, the defense served on the Government a detailed discovery demand that sought, *inter alia*, confirmation that the defense had received all of the defendant's relevant written or recorded communications in the Government's possession or control. In particular, and prior to the May 28, 2025, discovery demand, the defense raised for the Government its concern that the Government's original, pre-indictment production of device extractions was incomplete because it did not appear to include the devices seized from the defendant on or about December 2, 2024.

On March 31, 2025, the Government made an initial Rule 16 production. In response to the defendant's discovery demand and related discussions, the Government subsequently determined that it had not produced the extractions of the devices seized from the defendant on or about December 2, 2024. On June 20, 2025, the Government uploaded the extractions to an external hard drive provided by the defense, and the defense will retrieve those extractions today. The defense is also awaiting additional discovery responsive to the May 28, 2025, letter, including chain-of-custody documentation regarding the firearm at issue and discovery concerning the scope and nature of the defendant's post-arrest statements from December 2024.

Given these circumstances, the parties agree that a substantial adjournment of the Rule 12 deadlines and Rule 16 expert deadlines is warranted. The additional discovery is essential to the defense's development of a motion to suppress and to determining the viability of providing notice under Fed. R. Crim. P. 12.3. The adjournment is also necessary to allow for the defense to incorporate these critical Rule 16 materials into discussions with the Government regarding a fair pre-trial resolution.

I thank the Court for its consideration of this consent application.

Respectfully submitted,



Andrew John Dalack

Assistant Federal Defender

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Cc: AUSA Jerry Fang

Application GRANTED. Mr. Vasquez's pre-trial motions are due by August 15, 2025. The government's response must be filed by September 15, 2025. Mr. Vasquez's reply must be filed by October 1, 2025.

The Government's expert disclosures pursuant to Fed. R. Crim. P. 16(a)(1)(G) are also due by August 15, 2025.

If pre-trial motions are made, the Court will likely adjourn the trial to mid-December.

SO ORDERED. 6/23/25



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE